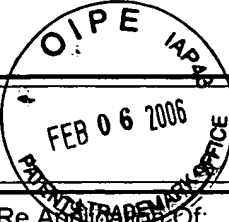

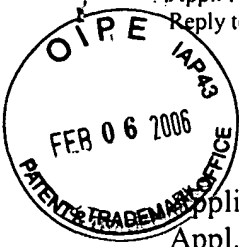


2614

 TRANSMITTAL LETTER (General - Patent Pending)		Docket No. 112740-300			
In Re Application Of: Gero Base et al.					
Application No. 09/963,981	Filing Date September 26, 2001	Examiner Michael R. Shannon	Customer No. 29177	Group Art Unit 2614	Confirmation No. 3320
Title: RADIO TRANSMISSION OF DATA REPRESENTING TELEVISION PROGRAMS					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is:					
Transmittal Letter in duplicate; Response to Office Action on 2 pages; and return receipt postcard.					
in the above identified application.					
<input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below. <input type="checkbox"/> Charge the amount of _____ <input type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 _____ <i>Signature</i> Peter Zura (Reg. No. 48,196) Customer No. 29177			Dated: February 3, 2006		
CC:			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>February 3, 2006</u> . _____ <i>(Date)</i> _____ <i>Signature of Person Mailing Correspondence</i> Renee Street _____ <i>Typed or Printed Name of Person Mailing Correspondence</i>		



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Gero Baese
Appl. No.: 09/963,981
Conf. No.: 3320
Filed: September 26, 2001
Title: RADIO TRANSMISSION OF DATA REPRESENTING TELEVISION
PROGRAMS
Art Unit: 2614
Examiner: Michael R. Shannon
Docket No.: 112740-300

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action dated November 3, 2005, Applicant requests reconsideration of the presently-pending application for the reasons as set forth in the following Remarks/Arguments.

REMARKS/ARGUMENTS

Claims 1-14 are pending in the present application. None of the claims were amended in this response. Favorable reconsideration is earnestly requested.

Claim 1-7 and 9-14 were rejected under 35 U.S.C. §102(e) as being anticipated by *Koskelainen* (EP 1113669A2). Claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Koskelainen* (EP 1113669A2). Applicant respectfully traverses these rejections.

Applicant notes that the publication date of *Koskelainen* is July 4, 2001, which is subsequent to Applicant's claimed priority to German Applications 10047608.2 and 10103291.9 which were filed on September 26, 2000 and January 25, 2001, respectively. Accordingly, *Koskelainen* cannot be considered prior art under 35 U.S.C. §102(e) (see MPEP 2136.06).

In light of the above, the Applicant respectfully submit that claims 1-14 of the present application are patentable over the art of record. Applicants respectfully request that a timely